

REMARKS

I. Summary of Office Action

Claims 1-8 and 11-18 were pending in the application.

Claims 1-3, 5-7, 11-13, and 15-17 were withdrawn as being drawn to non-elected species or inventions.

Claims 4, 8, 14 and 18 were rejected under 35 U.S.C. § 102(e) as being anticipated by Brenner et al. U.S. Patent No. 6,004,211 (hereinafter "Brenner").

II. Summary of Applicants' Reply

Applicants have amended independent claims 4 and 14 to more particularly define the invention. Claims 1-3 and 11-13 have been canceled without prejudice. Claims 21-30 have been added. The rejection of applicants' claims is respectfully traversed.

III. Applicants' Reply to the 102(e) Rejection

A. Overview of Applicants' Claimed Invention

Independent claims 4 and 14, as amended, are directed toward a method and system of providing a user interface for interactive wagering. An indication of a first wagering preference is received from a first user. The first wagering preference is stored during a first wagering session. A first user is identified in at least one first subsequent wagering session. The stored first wagering preference is then used as a default selection in subsequent wagers in at least one of the

first subsequent wagering sessions in response to identifying the first user. The subsequent wagers are associated with at least a track selection, a race selection, a bet type selection, a bet amount selection, and a horse selection. The user is also provided with an opportunity to change the default selection for at least one of the subsequent wagers from the default selection to another selection.

In the "Response to Arguments" section of the Office Action, the Examiner maintains his assertion that Brenner's "duplicate a wager" and "more bets same race" functions are considered default or saved player preferences. See Office Action, page 6. In addition, the Examiner contends that it is "inherent" that these player preferences are saved for use in subsequent wagering sessions. Although applicants disagree that Brenner's "duplicate a wager" and "more bets same race" functions implicate more than one wagering session, applicants have amended independent claims 4 and 14 to more particularly define the claimed invention.

B. Brenner Fails to Show or Suggest  
Identifying a First User and Then  
Using a Stored Wagering Preference  
In Response to Identifying That User

Even if Brenner's "more bets same race" and "duplicate a wager" functions did involve receiving an indication of a wagering preference from a user, this wagering preference is not stored and used as a default selection in subsequent wagers in subsequent wagering sessions in response to identifying the user, as recited by applicants' amended independent claims 4 and

14. For example, applicants' claimed invention supports individualized default settings on a per-user basis. The user may create the wagering preference in one wagering session and then use the wagering preference in subsequent sessions in response to being identified.

In Brenner, the settings from the "duplicate a wager" and "more bets same race" functions are used during the creation of the next wager. See Brenner col. 12, lines 27-51. The user might select one of these buttons more than one time, but each time the user presses the button the selections from the *immediately proceeding* wager are used. Applicants' claimed invention patentably improves upon Brenner by storing the user's wagering preference for use in subsequent wagers *in response to identifying the particular user that created the wagering preference*. As such, the user's default wagering preferences may be accessed and used even after, for example, the wagering interface is reinitialized and the user is reauthorized or reauthenticated. See specification, ¶¶ 0157-0164.

For at least the foregoing reasons, applicants submit that independent claims 4 and 14 are allowable over Brenner. Dependent claim 8 and 18, which include all the limitations of independent claims 4 and 14, respectively, are allowable for at least the same reasons. Applicants respectfully request, therefore, that the rejection of claims 4, 8, 14, and 18 be withdrawn.

#### IV. New Claims 21-30

Applicants have added new claims 21-30. These claims

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depend from one of allowable independent claims 4 and 14 and are allowable for at least the same reasons. For example, claims 21 and 26 recite receiving an indication from a second user of a second wagering preference, storing that second wagering preference, identifying the second user during a subsequent wagering session, and using the stored second wagering preference in response to identifying the second user. The prior art of record fails to show or suggest these claimed limitations.

V. Conclusion

In view of the foregoing, claims 4, 8, 14, 18, and 21-30 are in condition for allowance. The Office Action has withdrawn claims 5-7 and 15-17 from consideration as directed to a non-elected species. Applicants respectfully request that these claims be rejoined because the generic claims (i.e., independent claims 4 and 14) are in condition for allowance. This application is therefore in condition for allowance.

Reconsideration and allowance of the application are respectfully requested.

Respectfully submitted,

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